

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 5<sup>th</sup> day of September, 2006 the City Council of the City of Aransas Pass convened in a Regular Council Meeting immediately following a Workshop of the City Council being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Jesus Galvan, Mayor  
Dorothy Roberts, Mayor Pro Tempore  
Frank Hametner, Council Member  
Grace Chapa, Council Member  
Tommy Knight, Council Member

ABSENT: None

ADMINISTRATIVE PERSONNEL PRESENT: Scott Thompson, City Manager  
Allen Lawrence, City Attorney  
Ada Owens, City Secretary

ADMINISTRATIVE PERSONNEL ABSENT: None

STAFF PRESENT: Darren Gurley, Director of Public Works  
Darrell Jones, Police Chief  
Bill Haines, Assistant Police Chief/Harbormaster  
Sandy Roddel, Finance Director  
Frank Truitt, City Inspector  
Gilbert Ritz, Fire Chief

OTHERS PRESENT: Ralph & Lu Arcemont, Odilia O. Lopez, Linda Lopez, Ann P. Melton, Doris Strawalt, Jennie Ralston, Don & Jeanie Brummett, Judge Peggy Spencer, Dave & Pam Martin, Lou McCleese, Eva Young, Ernie Torres, Freida Freeman, Harry Clark, Wilma Anderson, Tom Hargrave, Patty Gilden, Rose Mary Upton, Irene Irely, Barbara Eichler, Margaret Garrett, Dottie Petersen, Debbie Torres, Lupe Torres, Belinda Ritz, Jay Masterson, Earl Buckmaster, Mike & Jean Burkhart, Nancy Allen, Don & Cleatis Andrews, Alpha Covington

(There may have been others present who did not sign in).

**ITEM 1. CALL MEETING TO ORDER.**

Mayor Galvan called the meeting to order at 7:00 p.m. on September 5, 2006.

**ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG.**

Council Member Hametner gave the Invocation.

Mayor Pro Tempore Roberts led the Pledge of Allegiance to the United States Flag and the Texas Flag.

**ITEM 3. CITIZEN'S COMMENTS.**

Ms. Eva Young encouraged everyone to get along together and the Council to do what is good for the city.

Mr. Ernie Torres commented on demolition of houses and assisting fellow citizens.

Ms. Margaret Garrett thanked the Public Works Department for repairing the potholes on Bigelow Street. Ms. Garrett commented on the division of the citizens in regard to harbor development, the "Concerned Citizens" website and gave some history on Conn Brown Harbor. She stated there were no Corps of Engineer permits issued for a development on Hwy 361 E and it should be investigated. Ms. Garrett showed she had copies of checks which were reimbursements to the City Manger for meetings with the Mayor in Corpus Christi.

**ITEM 4.**

**CONSENT AGENDA – “All of the Following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests. If discussion is desired that item will be removed from the Consent Agenda and will be considered separately”.**

- A. Approval of Minutes of a Regular Meeting of August 21, 2006.
- B. Consider and Act on Request of Temple of Praise Church to use Roosevelt Field for their Annual family Fun day on November 11, 2006.
- C. Consider and Act on Appointing Mr. Raymond Stone to the Planning and Zoning Commission.

Council Member Hametner made the request to pull Item 4 (C) from the consent agenda for discussion and separate consideration.

After discussion Council Member Hametner made the motion to remove Item 4(C) from the consent agenda for consideration and to advertise for more applications for the Planning and Zoning Commission. Mayor Pro Tempore Roberts seconded the motion and the motion carried unanimously.

**ITEM 5.**

**PUBLIC HEARING ON PROPOSED TAX RATE.**

Mr. Allen Lawrence, City Attorney declared the Public Hearing open at 7:15 p.m. on the proposed tax rate.

The City Manager, Scott Thompson gave the following information:

Adopted tax rate for the preceding tax year value	\$0.633600 per \$100 in value
Proposed tax rate for the current tax year value	\$0.612428 per \$100 in value
Difference in the proposed tax rate and the adopted tax rate for the preceding tax year in value	\$(0.021172) per \$100
Percentage increase or decrease in the Proposed tax rate and the adopted tax rate for the preceding tax year	(3.34)% (Decrease)

Average appraised and taxable values on residence homesteads are compared from the preceding tax year and the current tax year.

	Preceding Tax Yr	Current Tax Yr
Average residence homestead appraised value	\$81,939	\$86,921
Homestead exemption amount for the taxing unit (excluding special exemptions for persons 65 years of age or older or disabled)	\$0	\$0
Average taxable value of a residence homestead (excluding special exemptions for persons 65 years of age or older or disabled)	\$81,939	\$86,921

The taxes that would have been imposed in the preceding tax year on a residence homestead at the average appraised value (excluding special exemptions for persons 65 years of age or older or disabled) are estimated to be \$519.17. The taxes that would be imposed in the current tax year on a residence homestead appraised at the average appraised value in the current tax year (excluding special exemptions for persons 65 years of age or older or disabled), if the proposed tax rate is adopted, are estimated to be \$532.33. The difference between the amount of taxes on the average residence homestead in the current tax year, if the proposed tax rate is adopted, and the preceding tax year would be an increase of \$13.16 in taxes.

Council Member Knight asked what was the City Manager's proposed tax rate?

The City Manager stated \$0.61. He stated he and staff were also working on another budget with a lower tax at \$0.59 that would include financing the City's capital purchases for two to three years which would give the fund balance the City needs. He stated a \$19,000.00 fund balance at \$0.59 (tax rate) was not sufficient.

The City Manager stated the recommended changes by the Council were incorporated into the proposed budget, which was to cut the Fire Department raise from \$2.00 per hour to \$1.00 per hour and redistribute the \$1.00 among the Public Works employees.

Council Member Hametner stated if the \$50,000.00 discretionary fund was taken out of the administrative budget and the position of Assistant City Manager was eliminated, \$120,000.00 would be saved and the proposed tax rate could go down to \$0.59 and still have a hefty fund balance.

Ms. Eva Young commented on disabled and over 65 exemption, a need for a \$65,000.00 homestead exemption for disabled and over 65 and her experience with trying to get a petition for the over 65/disabled tax freeze. She encouraged citizens to speak to Council about property taxes.

Ms. Jay Masterson commented on the advantages of the City's tax rate going from \$0.63 to \$0.61, the appraisal values going up, older people

staying in their homes with home health care, and giving over 65 property owners a \$25,000 homestead exemption.

Council Member Hametner stated if an exemption of any kind was given it would affect the total revenue and the tax burden would be on everyone else. The tax rate might then be \$0.61 or \$0.62 (if exemptions were given). He stated this subject came up when Mayor Juan Torres was on the Council, but it was dropped. He stated that would be a good issue to put before the voters and a good discussion to have.

The City Attorney asked if there were any further questions or comments, seeing none he declared the public hearing closed at 7:27 p.m.

**ITEM 6.**

**CONSIDER AND ACT ON SUBSTANDARD BUILDING, TRACT 2, LANDBLOCK 239, BURTON & DANFORTH, 221 W. GILE, MS ODILIA LOPEZ, FOR THE PURPOSE OF APPROVING DEMOLITION.**

Mr. Frank Truitt, City Inspector gave a Powerpoint presentation to the Council showing the property at 221 W. Gile and stated there had been no improvements, no plans presented and no communication from Mrs. Odilia Lopez or her daughter Ms. Linda Lopez regarding compliance with the violation of City Codes at 221 W. Gile. Mr. Truitt urged the Council to make a decision on the property.

Ms. Linda Lopez stated she and her mother were waiting for First Commerce Bank to call regarding a loan for Ms. Odilia Lopez. Ms. Linda Lopez stated it should be the City's responsibility to run the sewer line to the front of the property. She also stated the trailers that the City wanted to remove from the property were being used by her mother for storage.

Mr. Darren Gurley, Public Works Director stated any extension of water or sewer lines from the main lines was paid by the property owners not the taxpayers.

Mrs. Marilyn Rimer asked the Council how much longer would the neighbors have to put up with the conditions at 221 W. Gile? She stated there were people living in the trailers that Mrs. Linda Lopez claimed were used for storage. She also addressed the other code violations stating that nothing had been done to remedy those violations.

Several residents in the W. Gile neighborhood made complaints and comments about the adverse conditions and code violations at 221 W. Gile.

After discussion Council Member Knight made the motion to proceed with the demolition of the property on Tract 2, Landblock 239, 221 W. Gile. Council Member Hametner seconded the motion and the motion carried unanimously.

**ITEM 7.**

**PUBLIC HEARING ON REQUEST OF J.J. FOX CONSTRUCTION TO REPLAT 9.218 ACRES OF TRACTS 6 AND 7, OUTLOT 38 INTO LOTS 1 THROUGH 30, FLAMINGO LANDING SUBDIVISION. PROPERTY IS LOCATED IN 400 AND 500 BLOCK OF W. JOHNSON AVENUE. THE PROPERTY IS ZONED RESIDENTIAL (R-10) DISTRICT.**

The City Attorney declared the Public Hearing open at 7:44 p.m. on the request of J.J. Fox Construction to replat 9.218 acres of Tracts 6 and 7, Outlot 38 into Lots 1 through 30, Flamingo Landing Subdivision.

The City Inspector stated this was a planned development which would include houses in \$200,000 to \$250,000 range. All requirements through the Building Inspection Office had been met and Planning and Zoning Commission had approved the project.

Mayor Pro Tempore Roberts asked would the sewer system in that area handle the development?

The Public Works Director stated yes, and that he had contacted Urban Engineering to assess the sewer system for the extra load and it was sufficient.

The City Attorney asked if there were any further questions or comments, seeing none he declared the public hearing closed at 7:47 p.m.

**ITEM 8.**

**CONSIDER AND ACT ON REQUEST OF J.J. FOX CONSTRUCTION TO REPLAT 9.218 ACRES OF TRACTS 6 AND 7, OUTLOT 38 INTO LOTS 1 THROUGH 30, FLAMINGO LANDING SUBDIVISION. PROPERTY IS LOCATED IN 400 AND 500 BLOCK OF W. JOHNSON AVENUE. THE PROPERTY IS ZONED RESIDENTIAL (R-10) DISTRICT.**

Council Member Hametner made the motion to approve the request of J.J. Fox Construction to replat 9.218 acres of Tracts 6 and 7, Outlot 38 into Lots 1 through 30, Flamingo Landing Subdivision. Mayor Pro Tempore Roberts seconded the motion and the motion carried unanimously.

**ITEM 9.**

**PUBLIC HEARING ON REQUEST OF TERRY ORF TO REZONE TRACT 1, LANDBLOCK V, BURTON AND DANFORTH SUBDIVISION FROM RESIDENTIAL (R-7A) TO RECREATIONAL VEHICLES (RV PARK)**

The City Attorney declared the Public Hearing open at 7:49 p.m. on the request of Terry Orf to rezone Tract 1, Landblock V, Burton and Danforth Subdivision from Residential (R-7A) to Recreational Vehicles (RV Park).

Mr. Terry Orf stated he was using TKO Architects to design a 60-site RV Park on approximately five acres. He stated it was a good use of the property, it would be a high-end RV Park and he would live there.

Council Member Chapa asked would the park have full hookups?

Mr. Orf stated yes, with full electric and cable.

Council Member Knight asked was there any opposition from the neighbors in the area?

The City Inspector stated no.

Mr. Orf stated the lots would be 26' by 48' and there would be public restrooms and other amenities.

When asked about flooding in the area, Mr. Orf stated the mean elevation of the property was seven feet. He stated he had discussed drainage with the Public Works Director and a drainage ditch would be dug.

Ms. Ann Melton stated there has been flooding in the area. She stated there is also a lot of traffic in the area and a traffic light was needed at Commercial and Beasley.

Mr. Orf stated he would work with the City to solve any drainage problems.

The City Attorney asked if there were any further questions or comments, seeing none he declared the public hearing closed at 7:55 p.m.

**ITEM 10.**

**CONSIDER AND ACT ON REQUEST OF TERRY ORF TO REZONE TRACT 1, LANDBLOCK V, BURTON AND DANFORTH SUBDIVISION FROM RESIDENTIAL (R-7A) TO RECREATIONAL VEHICLES (RV PARK)**

Council Member Knight made the motion to approve the request of Terry Orf to rezone Tract 1, Landblock V, Burton and Danforth Subdivision from Residential (R-7A) to Recreational Vehicles (RV Park). Council member Chapa seconded the motion and the motion carried unanimously.

**ITEM 14.**

**RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Recessed into Executive Session at 7:59 p.m.

- A. Section 551.071, Consultation with Attorney: Pending Legal Action

**ITEM 15.**

**RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Reconvened at 8:08 p.m.

- A. Section 551.071, Consultation with Attorney: Pending Legal Action

Mayor Galvan stated there was no action needed.

**ITEM 19.**

**ADJOURNMENT OF MEETING.**

Mayor Galvan adjourned the meeting at 8:10 p.m.

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Jesus R. Galvan, Mayor

ATTEST:

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Ada Owens, City Secretary